



NEW YORK CITY INDUSTRIES FOR THE BLIND, INC.  
*The Work Connection™*

RICHARD C. BLAND  
President & CEO

February 3, 2005

VIA E-MAIL AND HARD COPY

Mr. John Heyer, Counsel  
Committee for Purchase from People  
Who Are Blind or Severely Disabled  
1421 Jefferson Davis Highway  
Jefferson Plaza 2, Suite 10800  
Arlington, VA 22202-3259

Dear Mr. Heyer:

I am writing to voice my opposition to the purpose and terms of the proposed notice of rulemaking (Docket No. 2004-01-01) from the President's Committee for Purchase From People Who Are Blind or Severely Disabled.

By now you have already received dozens and dozens of letters, faxes, or e-mails on this issue, with virtually all of those responses going into great detail as to why the various proposals exceed the Committee's authority and Congressional intent. I don't intend to repeat what has been said so well by so many different leaders and organizations. I totally agree with the substance of their comments, and doubt that I could do any better than they have in articulating the arguments.

Rather, I wish to focus attention on what, to me, is a little voiced but major concern: the impact on the Committee's mission that would result from diverting limited resources from a currently under-served program into areas that are currently more than adequately served by multitudes of Federal, State, and Local rules, regulations, investigative bodies, and private organizations.

As written in the Committee's Strategic Plan, they are an independent Federal agency established to administer the JWOD Program. To quote from their plan:

"In 1938, the Wagner-O'Day Act was passed to provide *employment opportunities* (my emphasis) for people who are blind, by allowing them to manufacture commodities to sell to the Federal Government. The Javits Amendment of 1971 created the Javits-Wagner-O'Day (JWOD) Act (41 U.S.C. 46-48c) and amended the Act to include providing *employment opportunities* (my emphasis) for people with other severe disabilities and allow the Program to also provide services to the Federal Government.

The Committee accomplishes its mission by working through the JWOD Program's two Committee-designated Central Nonprofit Agencies (CNA's), the National Industries for the Blind (NIB) and NISH, a national organization serving people with other severe disabilities, to identify government procurement requirements that can generate *employment opportunities* (my emphasis) for individuals who are blind or have other severe disabilities."

Further down they add: "Sixty-five years after the Wagner-O'Day Act was enacted this nation is still faced with a monumental unemployment problem for people with disabilities. Harris Polls show that over the past decade and a half, the proportion of people with disabilities under 65 years of age who are working remains stagnant at 32%; many people with disabilities are not getting jobs." (Note: for people who are blind, the unemployment rate remains above 70 %!)

The Committee has limited resources. ANY activity that interferes with this mission, or diverts any of these limited resources from its mission, is categorically wrong and must be rejected.

Does this mean that the Committee cannot expect, even demand, that all of the participants in the program adhere to nothing but the highest ethical, moral, and legal guidelines. Of course not.

But it does mean, to me, that the Committee must put its trust into all of the other Federal, state, and local agencies, as well as the many private organizations, whose individual missions direct them to issue similar or even more stringent guidelines, and to monitor and assure compliance with the issued guidelines. To try to duplicate what is already being done elsewhere, and probably better, makes little sense.

The "system" DOES have a multitude of ways of surfacing and dealing with people and organizations that violate guidelines that everyone else readily accepts and follows.

However, there is NO other organization that can do for people who are blind or have other severe disabilities what the President's Committee can and does do.

Let the President's Committee ask all CEOs to sign a statement indicating that they agree to follow and abide by all relevant guidelines of ethical, moral, and legal behavior that currently exist.

Then direct the Committee members and staff to put these statements into their files, to be brought out only when and if some rogue organization or leader violates them.

Then further direct them to immediately go back to what the real need is - creating more employment opportunities for people who are blind or have other severe disabilities.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard C. Bland".

Richard C. Bland  
President & CEO

cc: Ms. Katherine Astrich  
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Office of Information and Regulatory Affairs  
Eisenhower Executive Office Building  
725 17<sup>th</sup> Street, NW  
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cc: Stephen Patterson, President, NAEPB